

# Utility Service Disconnection

## OUCS Consumer Fact Sheet

### Indiana Office of Utility Consumer Counselor

100 N. Senate Avenue, Room 501

Indianapolis, Indiana 46204-2215

[www.IN.gov/oucc](http://www.IN.gov/oucc)

Toll-free

1-888-441-2494

Voice/TDD

(317) 232-2494

Fax

(317) 232-5923

[UCCINFO@oucc.state.in.us](mailto:UCCINFO@oucc.state.in.us)

This fact sheet from the Indiana Office of Utility Consumer Counselor (OUCC) is focused on utility disconnection and answering some of the most frequently asked questions. The OUCC provides the following information to help you understand the rights and obligations of both consumers and utilities related to disconnections.

As a consumer, you are responsible for honoring your commitments and paying your bills on time and in full. If you are unable to pay for the utility service you use, you have the responsibility to contact the utility immediately to determine if alternate payment arrangements can be made.

The OUCC does not offer financial assistance for utility payments. However, assistance is available through a number of public and private programs as noted below.

### Disconnection Procedures

Service disconnection procedures vary by type of utility. Disconnection rules are detailed in Title 170 of the Indiana Administrative Code, which can be found on the Internet at your local library or [www.IN.gov/legislative/iac/title170.html](http://www.IN.gov/legislative/iac/title170.html). The rules apply to the more than 700 utilities that are regulated by the Indiana Utility Regulatory Commission (IURC).\*

### A utility may not disconnect service for failure to pay for any of the following:

- Merchandise or appliances purchased from the utility providing the service;
- Utility services provided at a different location, if such a bill has remained unpaid for 45 days or less;
- Utility services to a previous occupant, unless there is evidence the customer is attempting to defraud the utility by using another name;
- A different form or class of service; or
- The balance of a delinquent account of another customer unless you are the guarantor of that person's account. (Applies to telephone utilities only.)

### If you receive a disconnection notice:

- **Contact the utility immediately** to discuss why you are being disconnected. It is your responsibility to do this as soon as you realize that you may not be able to meet a payment deadline.
- Discuss payment plan options if you are facing disconnection due to nonpayment.
- Many utilities are willing to provide payment options while continuing to provide service.
- Various programs exist to assist low-income households. As noted below, the programs include Lifeline/Link-Up and Home Energy Assistance, along with other programs that may be provided by township trustees, charities and individual utilities.

### Financial Difficulty

A utility may not disconnect your service if you contact the utility and can indicate a legitimate cause, such as financial hardship, for your inability to pay the full amount. However, you must:

- Pay a reasonable portion of the bill (the lesser of \$10 or 10 percent for gas, electric, water and sewer bills and the lesser of \$20 or 25 percent for telephone);
- Agree to pay the remainder within three months;
- Agree to pay all undisputed future bills when due; &
- Not have violated any similar payment agreement with the utility in the last 12 months.

If you are **unable to pay an unusually large bill**, the utility may not disconnect service if you contact the utility to:

- Pay a reasonable portion;
- Agree to pay the rest at a reasonable rate; &
- Agree to pay all undisputed future bills.

A gas or electric utility, between December 1 and March 15, **may not disconnect** service of a customer that qualifies and has applied for the **Low-Income Home Energy Assistance Program**, regardless of whether benefits are received.

*Continued on Reverse...*

*\*The IURC does not regulate municipal sewer systems. Indiana law allows certain utilities to remove themselves from IURC regulation. They include municipal water systems; utilities operated by not-for-profit corporations; cooperative telephone and electric companies; privately owned telephone utilities with fewer than 40,000 access lines; and privately owned water and sewer utilities that serve fewer than 300 customers.*

The Indiana Office of Utility Consumer Counselor (OUCC) is the state agency that represents the interests of all utility consumers and the general public in matters related to the provision of utility services. The agency is active in proceedings before regulatory and legal bodies, and committed to giving consumers a voice in the creation of utility service policy.

## Disconnection Postponement: Medical Reasons

If a disconnection will cause a serious and immediate threat to the health or safety of a person in your household, the utility must postpone the disconnection for 10 days if you provide a medical statement from a licensed physician or a public health official. This postponement can be continued for one additional 10-day period if an additional medical statement is provided.

## Disconnection Notices

The utility must provide advance notice of the proposed service disconnection date. If and when you receive such a notice, you should immediately contact the utility to discuss ways of avoiding disconnection. The notice must be clearly written, precise and easy to understand. It must also include the date of the proposed disconnection, along with the reason for it. A disconnection notice must include the utility's telephone number, in addition to consumer rights information or reference to a relevant publication.

You must receive notice a certain number of days in advance of the proposed disconnection date. The time period varies by utility:

- Natural Gas – 14 days
- Electricity – 14 days
- Water – 7 days
- Telephone – 5 days

## When a disconnection occurs

A utility can only disconnect service between 8:00 a.m. and 3:00 p.m. local time, and only on a day that the utility office is open to the public. Service may not be disconnected for nonpayment on any day that the utility office is closed to the public, or after noon of the day before any day that the utility office is closed to the public.

A gas, electric, water or sewer utility employee must make a reasonable effort to identify himself or herself to you or any other responsible person living upon your premises before disconnecting your service. (This does not apply to telephone utilities.) The employee should be able to answer any questions you may have about the disconnection procedure, the reasons that are causing it and the amount of any delinquent bill. He or she should attempt to verify whether any outstanding bills have been paid or are currently in dispute. If you can provide credible evidence, such as a paid receipt, the employee is not allowed to disconnect service.

Utilities are not required to collect any "on the spot" payments from customers in order to prevent service disconnection. However, if your utility has authorized its employees to collect payments, disconnection can be avoided by paying any undisputed amount due to such an employee. Note: Get a written receipt showing date, time and the employee's name and business address.

If your service is disconnected, the utility employee should notify a responsible person on the premises and provide the address and telephone number at which the customer can arrange for service reconnection. If no one is at home, the employee should leave the notice in a conspicuous place on the premises.

## A utility can disconnect service without prior notice, but only under certain circumstances:

- If a dangerous or life-threatening condition exists;
- Under an IURC or court order;
- If the utility has detected fraudulent or unauthorized use of the service and has reasonable grounds to believe you are responsible;
- If the utility's equipment has been tampered with and the utility has reasonable grounds to believe that you are responsible;
- If a telephone utility's equipment is used in a way that disrupts the service of other customers; or
- If unlimited access to a toll network may mean a substantial revenue loss for a telephone utility.

## Getting Reconnected

Once you have resolved problems that led to utility service disconnection, such as unpaid bills, you can apply for service reconnection. Once you've applied, the utility must reconnect your service at least within one working day after your request. The utility may charge a reconnection fee, but it cannot exceed the charge approved by the IURC in the utility's filed tariffs. A deposit may also be requested as allowed under IURC rules. If your service has been wrongfully disconnected, the utility should restore the service immediately and at no charge to you.

## Wrongful Disconnection

If you believe a utility has wrongfully or illegally disconnected your service, you can file a complaint with the Indiana Office of Utility Consumer Counselor (OUCC) or the Indiana Utility Regulatory Commission (IURC). The agencies can also assist you with any other questions you may have, along with general concerns about utility matters.

- **The Indiana Office of Utility Consumer Counselor** can be reached toll free at **1-888-441-2494**.
- **The Indiana Utility Regulatory Commission** can be reached toll free at **1-800-851-4268**.

## Financial Assistance

- **Low-Income Home Energy Assistance** can help low-income Hoosiers with gas and electric bills. Those who qualify can prevent disconnection during certain months by signing up. For more information, call the Indiana Family and Social Services Administration toll free at 1-800-622-4973.
- **Lifeline** and **Link-Up** telephone subsidies are available to assist low-income households with phone connection and local service. You can learn more from your local phone company or the OUCC.
- **More assistance may be available** from township trustees, private charities and individual utilities.

